

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Ronald Brant,

Case No. 3:13 CV 1576

Plaintiff,

O R D E R

-vs-

JUDGE JACK ZOUHARY

Lauren Matthews, et al.,

Defendants.

This Court has reviewed the Report and Recommendation (“R&R”) of the Magistrate Judge filed November 14, 2013 (Doc. 20). The R&R recommends this Court grant Defendant FDIC’s Motion to Dismiss (Doc. 3) Plaintiff’s claims against it because this Court lacks jurisdiction as a result of Plaintiff’s failure to timely exhaust administrative remedies or pursue his claim against the FDIC in federal court.

Under 28 U.S.C. § 636(b)(1), a party must serve written objections to the Magistrate Judge’s proposed findings and recommendations within fourteen (14) days of being served with the R&R, at which time this Court makes a de novo determination of those portions of the R&R to which objections were made. The failure to file objections within the time frame set forth in the statute constitutes a waiver of de novo review by the district court. *See United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Plaintiff’s deadline for filing objections has passed, and no requests for extension have been received. The R&R accurately states the facts and law, and this Court adopts it in its entirety. Accordingly, Defendant FDIC’s Motion to Dismiss (Doc. 3) is granted.

Furthermore, the only basis for federal jurisdiction was FDIC's involvement in this litigation. With FDIC's dismissal, no federal subject matter jurisdiction exists. This Court declines to exercise supplemental jurisdiction over the remaining claims and remands this action to the Sandusky County Court of Common Pleas. *See* 28 U.S.C. § 1367(c); *Long v. Bando Mfg. of Am., Inc.*, 201 F.3d 754, 761 (6th Cir. 2000).

IT IS SO ORDERED.

s/ Jack Zouhary
JACK ZOUHARY
U.S. DISTRICT JUDGE

December 5, 2013